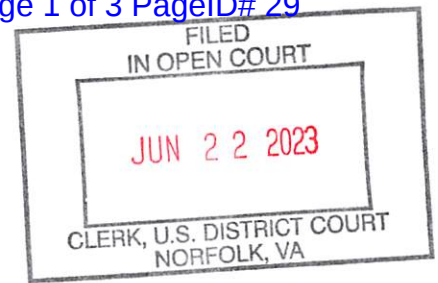


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

NORFOLK DIVISION



UNITED STATES OF AMERICA

v.

MICHAEL DRAKE,

Defendant.

CRIMINAL NO. 2:23-CR- 83

18 U.S.C. §§ 922(g)(1) & 924(a)(8)  
Possession of Firearm by Felon  
(Count One)

18 U.S.C. § 924(d); 28 U.S.C. § 2461  
Criminal Forfeiture

INDICTMENT

June 2023 Term – at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Possession of Firearm by Felon)

On or about February 23, 2023, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, MICHAEL DRAKE, knowing that he previously had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is a Smith & Wesson, Model 5906, 9mm semi-automatic pistol, which had previously been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).)

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

1. The defendant, if convicted of the violation alleged in this Indictment, shall forfeit to the United States, as part of the sentencing pursuant to the Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
2. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).
3. The property subject to forfeiture includes, but is not limited to, the following:
  - a. One Smith & Wesson, Model 5906, 9mm semi-automatic pistol bearing serial number TDK2662, and any related magazines and ammunition.

(In accordance with Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461(c).)

*United States v. Michael Drake*  
2:23-CR- 83

Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office.

A TRUE BILL:

REDACTED COPY

\_\_\_\_\_  
FOREPERSON

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